

HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STUART REGES,

*Plaintiff,*

v.

ANA MARI CAUCE, et al.,

*Defendants.*

CASE NO. 2:22-cv-00964-JHC

**STIPULATED MOTION TO  
AMEND SCHEDULING ORDER**

NOTE ON MOTION CALENDAR:  
October 16, 2023

1. As permitted by Fed. R. Civ. P. 16(b)(4) and LCR 10(g) and the Court's Minute Order Setting Trial Date and Related Dates ("Scheduling Order"), ECF No. 49, the parties jointly move the Court to amend the Scheduling Order by adding approximately 30 days to all unexpired deadlines. The Court may, by order and for good cause, amend a scheduling order. Fed. R. Civ. P.16(b)(4). "Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." *Rain Gutter Pros, LLC v. MGP Mfg., LLC*, No. C14-0458 RSM, 2015 WL 6030678, at \*1 (W.D. Wash. Oct. 15, 2015) (citing *Johnson v. Mammoth*

STIPULATED MOTION TO AMEND  
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(2:22-cv-00964)

FOUNDATION FOR INDIVIDUAL RIGHTS AND EXPRESSION  
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Tel: (215) 717-3473

1 *Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)).

2       2.     Good cause exists for amending the Scheduling Order because the  
3 parties are working to schedule the depositions of the University of Washington's  
4 corporate representatives under Federal Rule of Civil Procedure 30(b)(6). These  
5 witnesses are state employees with full-time responsibilities and preexisting travel  
6 obligations. Because of these responsibilities and obligations, the witnesses are not  
7 available to sit for deposition prior to October 20, 2023, the current discovery  
8 deadline.

9       3.     The parties have diligently conducted discovery in this matter, including  
10 the notice of a Rule 30(b)(6) deposition of the University of Washington on September  
11 19, 2023, and by meeting and conferring regarding the topics to cover at that  
12 deposition on September 26, October 6, and October 12, 2023. The parties have also  
13 exchanged supplemental productions of documents as recently as September 15, 2023  
14 (Defendants' eighth production) and September 20, 2023 (Plaintiff's sixth  
15 production).

16       4.     A modest extension of approximately 30 days to the unexpired deadlines  
17 will provide the parties sufficient time to complete discovery in a manner that serves  
18 the interests of justice.

19       5.     Having shown good cause and given the parties' continued diligence in  
20 completing discovery, the parties request that the Court grant their Stipulated  
21 Motion to Amend the Order Setting Trial and Related Dates, extending the deadlines  
22 in the Minute Order, ECF No. 49, to those proposed in ¶ 6.

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6. The parties now move for the following amendments to the scheduling order:

- Jury Trial Date April 17, 2024
- Discovery completed by November 20, 2023
- All dispositive motions and motions challenging expert witness testimony must be filed by (LCR 7(d)) December 20, 2023
- Settlement conference held no later than February 19, 2024
- All motions in limine must be filed by March 6, 2024
- Agreed pretrial order due March 27, 2024
- Deposition Designations must be submitted to the Court (not filed on CM/ECF by (LCR 32(e)) March 29, 2024
- Pretrial conference to be held at on April 3, 2024
- Trial briefs, proposed voir dire, jury instructions by April 10, 2024

Respectfully submitted,

DATED: October 16, 2023

By: /s/ Gabriel Walters  
 Gabriel Walters\*  
 Joshua T. Bleisch\*  
 Foundation for Individual Rights and  
 Expression  
 700 Pennsylvania Avenue SE, Suite 340  
 Washington, DC 20003  
 Tel.: (215) 717-3473  
 gabe.walters@thefire.org  
 josh.bleisch@thefire.org

James M. Diaz\*  
Foundation for Individual Rights and  
Expression  
510 Walnut Street, Suite 1250  
Philadelphia, PA 19106  
Tel.: (215) 717-3473  
jay.diaz@thefire.org

\*Admitted *Pro Hac Vice*

Robert A. Bouvatte Jr. (WSBA #50220)  
Robert A. Bouvatte, PLLC  
PO Box 14185  
Tumwater, WA 98511  
Tel.: (904) 505-3175  
bob@rbouvattepllc.com

*Attorneys for Plaintiff*

By: /s/ Aaron Brecher (by authorization)  
Aaron Brecher (WSBA #47212)  
Robert M. McKenna (WSBA #18327)  
Orrick, Herrington & Sutcliffe LLP  
401 Union Street, Suite 3300  
Seattle, WA 98101  
Tel.: (206) 839-4300  
Fax: (206) 839-4301  
abrecher@orrick.com  
rmckenna@orrick.com

R. David Hosp\*  
Kristina D. McKenna\*  
Orrick, Herrington & Sutcliffe LLP  
222 Berkeley Street, Suite 2000  
Boston, MA 02116  
Tel.: (617) 880-1802  
Fax: (617) 880-1801  
dhosp@orrick.com  
kmckenna@orrick.com  
\*Admitted *Pro Hac Vice*

*Attorneys for Defendants*

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**CERTIFICATE OF SERVICE**

Plaintiff's counsel confirms that a true and correct copy of the foregoing was served by the Court's electronic filing system on October 16, 2023. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated below and parties may access this filing through the Court's electronic filing system.

Robert M. McKenna (WSBA# 18327)  
Aaron Brecher (WSBA# 47212)  
701 Fifth Avenue, Suite 5600  
Seattle, WA 98104  
Tel.: (206) 839-4300  
Fax: (206) 839-4301  
rmckenna@orrick.com  
abrecher@orrick.com

R. David Hosp  
Kristina D. McKenna  
222 Berkeley Street, Suite 2000  
Boston, MA 02116  
Tel.: (617) 880-1802  
Fax: (617) 880-1801  
dhosp@orrick.com  
kmckenna@orrick.com

*Attorneys for Defendants*

Dated: October 16, 2023

/s/ Gabriel Walters  
Gabriel Walters\*

\*Admitted *Pro Hac Vice*  
*Attorney for Plaintiff*